

**SUPREME COURT MINUTES
WEDNESDAY, AUGUST 15, 2012
SAN FRANCISCO, CALIFORNIA**

S202724 C063913 Third Appellate District **PEOPLE v. CHIU (BOBBY)**

Petition for review granted

The People's petition for review is granted.

Defendant's petition for review is denied.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S203477 B233008 Second Appellate District, Div. 7 **PEOPLE v. E*POLY STAR, INC.**

Petition for review granted; briefing deferred

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Aryeh v. Canon Business Solutions, Inc.*, S184929, (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S203738 G046031 Fourth Appellate District, Div. 3 **ESPER (LAWRENCE) v. S.C. (PEOPLE)**

Petition for review granted; transferred to Court of Appeal, Fourth Appellate District, Division Three, with directions to issue an alternative writ

The petition for review is granted.

This matter is transferred to the Court of Appeal, Fourth Appellate District, Division Three, with directions to vacate its April 5, 2012, order denying mandate/prohibition, and its June 22, 2012, order to show cause, and to issue an alternative writ to be heard before that court when the proceeding is ordered on calendar.

The phrase "to be heard before that court when the proceeding is ordered on calendar" means that the Court of Appeal is to hear the cause when and if the matter is ordered on calendar. The matter need not be set for an argument calendar if the superior court decides to comply with the alternative writ. If the superior court decides not to comply with the alternative writ, then the Court of Appeal must hear the cause. (See Code Civ. Proc., § 1087 ["The alternative writ must command the party to whom it is directed immediately after the receipt of the writ, or at some other specified time, to do the act required to be performed, or to show cause before the court at a time and place then or thereafter specified by court order why he has not done so."].)

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S202414 A134859 First Appellate District, Div. 5
Petition for review denied

OLIVEROS (JORGE) ON H.C.

S203141 A129489 First Appellate District, Div. 3
Petition for review denied

**PEOPLE v. TRAN
(QUOCHUY)**

S203160 H038298 Sixth Appellate District
Petition for review denied

**MARTINEZ (ALBERT LEE) v.
S.C. (PEOPLE)**

S203171 D058622 Fourth Appellate District, Div. 1
Petitions for review denied

**PEOPLE v. CASILLAS (JUAN
JOSE)**

S203172 B233918/B234423/B235664/B236927
Second Appellate District, Div. 3

**KERNER (LISA) v. S.C.
(WIDOM)**

Petition for review denied
The request to take judicial notice is granted as to items numbered one through twelve. The request to take judicial notice is denied as to item number thirteen.
The petition for review is denied.

S203186 C063794 Third Appellate District
Petition for review denied

PEOPLE v. YEM (THEARA)

S203189 A131445 First Appellate District, Div. 1
Petition for review denied

**GILLIS (ERROL M.) v.
DENTAL BOARD OF
CALIFORNIA**

S203245 G043741 Fourth Appellate District, Div. 3 **PEOPLE v. RESENDIZ
(NOLBERTO)**

Petitions for review denied

Defendant Nolberto Resendiz's petition for review is denied. Defendant Martin Arroyo's petition for review is denied without prejudice to his right to challenge the calculation of his sentence under the alternate penalty provision in Penal Code section 186.22, subdivision (b)(5) in a petition for writ of habeas corpus.

S203278 B232687 Second Appellate District, Div. 2 **PEOPLE v. FLORES
(LAZARO WALDEMAR)**

Petition for review denied

S203282 E053077 Fourth Appellate District, Div. 2 **PEOPLE v. ZUBIATE, JR.,
(RICHARD ANTHONY)**

Petition for review denied

S203285 B230028 Second Appellate District, Div. 6 **PEOPLE v. WARREN
(ELBERT EUGENE)**

Petition for review denied

S203313 A132987 First Appellate District, Div. 5 **PEOPLE v. KENDRID
(FORREST)**

Petition for review & depublication request(s) denied

S203358 B228248 Second Appellate District, Div. 5 **PEOPLE v. HORN (SAVATH
TUCH)**

Petition for review denied

S203359 C065601 Third Appellate District **PEOPLE v. SIMMONS
(CAROLYN)**

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. McCullough*, S192513.

S203368 A131244 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. ORTEGA
(JOSEPH ALEJANDRO)**

S203388

Petition for writ of mandate/prohibition denied

**ROJAS (RODOLFO) v.
COURT OF APPEAL,
FOURTH APPELLATE
DISTRICT, DIVISION THREE
(DEPARTMENT OF
CORRECTIONS &
REHABILITATION)**

S203404 B226425 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. VALENCIA
(AUDON)**

S203421 A126393 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. WADE
(CLENARD CEBRON)**

S203432 D057966 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MICKEY (RYAN
CHRISTOPHER)**

S203439 C064475 Third Appellate District

Petition for review denied

**RAND (RANDY) v. BOARD
OF PSYCHOLOGY**

S203440 D061082 Fourth Appellate District, Div. 1

Petition for review denied

IN RE DULCE N.

S203442 E052573 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. BUTLER (JOSEPH
EDWARD)**

S203443 B241564 Second Appellate District, Div. 3

Petition for review denied
The request for judicial notice is granted.
Kennard and Chin, JJ., were recused and did not participate.

**LEHRER (DOUGLAS) v. S.C.
(U.S. BANK NATIONAL
ASSOCIATION)**

S203444 B241392 Second Appellate District, Div. 6

Petition for review denied

**CANNON (TYRRALL
FARROW) ON H.C.**

S203445 B235370 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. STEVENS
(MICHAEL ALLEN)**

S203461 F060792 Fifth Appellate District
Petition for review denied

PEOPLE v. ORTIZ (RUBEN)

S203491 B229301 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. OLIVAS
(JOADANUS JEROME)**

S203515 E053476 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE V. LUETH (ERIC
PRESTON)**

S203545 D058657 Fourth Appellate District, Div. 1
Petition for review denied

CASH (JOY) v. WINN (IOLA)

S203577 F061040 Fifth Appellate District

Petition for review denied

**McDONALD (LIBERTI) v.
BIGGS (DAVID CARL)**

S203579 B229213 Second Appellate District, Div. 5

Petition for review denied

**REGENCY OUTDOOR
ADVERTISING, INC. v. CITY
OF LOS ANGELES
(CLARETT HOLLYWOOD
LLC)**

S203687 E056300 Fourth Appellate District, Div. 2

Petition for review denied

**VUONG (DAVID LAM) ON
H.C.**

S203701 A130125 First Appellate District, Div. 4

Petition for review & publication request(s) denied

**MARCHI-FRIEL (DEBORAH
ANNE) v. RAGO (ROBERT)**

S203722 B232165 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. GALLOWAY
(JAYVION T.)**

S203729 B239042 Second Appellate District, Div. 2

Petition for review denied

**LIDOW (ALEXANDER) v. S.C.
(INTERNATIONAL
RECTIFIER CORPORATION)**

S203733 G045500 Fourth Appellate District, Div. 3

Petitions for review denied

**CONTROL AIR
CONDITIONING
CORPORATION v. WSP
FLACK & KURTZ, INC.**

S203751 H038400 Sixth Appellate District

Petition for review denied

Chin, J., was recused and did not participate.

**MERRITT (SALMA) v. S.C.
(MOZILO)**

S203792 H036510 Sixth Appellate District

**HOWARD (CHERYL JARVI-JONES & HUGH JAMES),
MARRIAGE OF**

Petition for review denied

S203808 B240183 Second Appellate District, Div. 6

**RHINE (WILLIAM) v.
WORKERS'
COMPENSATION APPEALS
BOARD & PACIFIC BELL
TELEPHONE**

Petition for review denied

Baxter and Werdegar, JJ., were recused and did not participate.

S203841 C067971 Third Appellate District

**PEOPLE v. WILLIAMS
(MILTON BLAINE)**

Petition for review denied

Cantil-Sakauye, C. J., was recused and did not participate.

S203842 D060241 Fourth Appellate District, Div. 1

**PEOPLE v. CHIMA (JUSTICE
CHUKWA)**

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. McCullough*, S192513.

S203844 A132200 First Appellate District, Div. 4

**BOCK (LORIE) v. CITY OF
HEALDSBURG**

Petition for review denied

S203848 E053060 Fourth Appellate District, Div. 2

**PEOPLE v. HENRIQUEZ
(CARLOS)**

Petition for review denied

S203860 H037301 Sixth Appellate District

**PEOPLE v. ALLEN (KARL
DOUGLAS)**

The petition for review is denied without prejudice to any relief to which defendant might be entitled upon finality of the decision in *People v. Brown* (2012) 54 Cal.4th 314.

S203864 H037784 Sixth Appellate District

Petition for review denied

**ALLEN (KARL DOUGLAS)
ON H.C.**

S203865 A132431 First Appellate District, Div. 1

Petition for review denied

**THOMAS (NELSON) v.
STENBERG (ERLAND L.)**

S203869 E056427 Fourth Appellate District, Div. 2
Petition for review denied

STEELS (WILLIE) ON H.C.

S203870 G047011 Fourth Appellate District, Div. 3
Petition for review denied

BAKER (MARK) ON H.C.

S203874 B241900 Second Appellate District, Div. 1
Petition for review denied

J. (D.) ON H.C.

S203875 C067912 Third Appellate District

Petition for review denied

**CLAUDINO (ALAN W.) v.
COUNTY OF CALAVERAS**

S203876 C069407 Third Appellate District

Petition for review denied

**PEOPLE v. GLYNN (AARON
TYLER)**

S203877 D059956 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. TOKAREV
(DENNIS)**

S203878

Petition for writ of mandate/prohibition denied

**COLEMAN (RAHSAAN) v.
S.C. (PEOPLE)**

S203882 C067811 Third Appellate District
Petition for review denied

K. (D.), GUARDIANSHIP OF

S203889 D059384 Fourth Appellate District, Div. 1

Petition for review denied
Chin, J., was recused and did not participate.

**KANESHIRO (JANELLE T.) v.
COUNTRYWIDE HOME
LOANS SERVICING LP**

S203890 B241747 Second Appellate District, Div. 3

Petition for review & application for stay denied

**LOPEZ (JIMMY) v. S.C.
(PEOPLE)**

S203894 G046108 Fourth Appellate District, Div. 3
Petition for review denied

IN RE J.W.

S203901 A131162 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. ROSSER (LISA
ANN)**

S203903 A130985 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. ANDERSON
(SEAN CONNERY)**

S203908 E052152 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. ROBERTS, JR.,
(LAMAR)**

S203910 G045162 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. ESCOBAR
(BYRON ESTURADO)**

S203914 A135798 First Appellate District, Div. 4

Petition for review denied

**EAKINS (JAMES B.) v. S.C.
(PEOPLE)**

S203916 H036371 Sixth Appellate District

Petition for review denied

PEOPLE v. MORA (ANDREW ALAN)

S203930 G044473 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. FRIEND (BRANDON GREGORY)

S203936 D060666 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. HENDERSON (JAMES)

S203941 G043963 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. BLACKMORE (RAY MICHAEL)

S203942 G044790 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. HUYNH (TRI TRONG)

S203943 C067083 Third Appellate District

Petition for review denied

PEOPLE v. THOMAS (CHARLES DEAN)

S203944 B241707 Second Appellate District, Div. 3

Petition for review denied

BAYATI (KAHTAN) v. S.C. (TOWN SQUARE M. PROPERTIES LLC)

S203948 A130571 First Appellate District, Div. 2

Petition for review denied

PEOPLE v. FLORES (DANIEL BRITO)

S203949 G045188 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. ROBERTS
(ANTHONY JAMES)**

S203956 G045029 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. PHAN (THANH
TAN)**

S203964 H035996 Sixth Appellate District

Petition for review denied

**PEOPLE v. JAYUBO
(MELCHOR ROSALES)**

S203966 A135834 First Appellate District, Div. 4

Petition for review denied

**WOODS II (EARNEST
CASSELL) ON H.C.**

S203968 H037466 Sixth Appellate District

Petition for review denied

**JAYUBO (MELCHOR
ROSALES) ON H.C.**

S203971 D059506 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. GILLIAM
(CLEON)**

S203975 C071377 Third Appellate District

Petition for review denied

BROWN (CHESTER) ON H.C.

S203985 B230321 Second Appellate District, Div. 1

Petition for review denied

**NICKELL (JERRY) v.
MATLOCK (TONIE)**

S203990 A135841 First Appellate District, Div. 1

Petition for review denied

**STEARNS CONRAD &
SCHMIDT CONSULTING,
INC. v. S.C. (ROE)**

S203993 B227087 Second Appellate District, Div. 8
Petition for review denied

WU (ALAN) v. LEE (ROGER)

S203994 C066982 Third Appellate District
Petition for review denied

**SOURCECORP, INC. v.
SHILL (STEVEN)**

S203997 B232175 Second Appellate District, Div. 5
Petition for review denied

**PEOPLE v. BATISTE
(RONALD)**

S204000 D060315 Fourth Appellate District, Div. 1
Petition for review denied

**PEOPLE v. SANCHEZ (JOEL
ELIAS)**

S204123 F065198 Fifth Appellate District
Petition for review denied

**RAMAZZINI (NATHAN) ON
H.C.**

S204171 E056615 Fourth Appellate District, Div. 2

Petition for review & application for stay denied

**GLMR PROPERTIES LLC v.
ALCOHOLIC BEVERAGE
CONTROL APPEALS BOARD
OF THE STATE OF
CALIFORNIA**

S204391

Petition for writ of mandate/prohibition & application for stay denied

**DUNSMORE (DARRYL) v.
COURT OF APPEAL,
FOURTH APPELLATE
DISTRICT, DIVISION ONE
(PEOPLE)**

S194163

Petition for writ of habeas corpus denied

**HAGAN (THEODORE) ON
H.C.**

S195192**McDANIEL (JON BRUCE) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S198565**SCHOCKNER (MANFRED)
ON H.C.**

Petition for writ of habeas corpus denied

S198639**WILLIAMS (La'MAR D.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 797-798.)

S199155**MADDEN (RYAN P.) ON H.C.**

Petition for writ of habeas corpus denied

S199523**GARDNER (THOMAS
ALLEN) ON H.C.**

Petition for writ of habeas corpus denied

S200282**TRAN (MICHAEL) ON H.C.**

Petition for writ of habeas corpus denied

S200667**COLLINS (LAFAYETTE) ON
H.C.**

Petition for writ of habeas corpus denied

S200691**FLORES (HECTOR) ON H.C.**

Petition for writ of habeas corpus denied

S200717**MONTENEGRO (ROBERT
VICTOR) ON H.C.**

Petition for writ of habeas corpus denied

S201134

Petition for writ of habeas corpus denied

PHELPS (ARTHUR) ON H.C.

S201135

Petition for writ of habeas corpus denied

**KASER (ROBERT PATRICK)
ON H.C.**

S201201

Petition for writ of habeas corpus denied

GIL (ADOLFO) ON H.C.

S201358

Petition for writ of habeas corpus denied

NGUYEN (HUY) ON H.C.

S201602

Petition for writ of habeas corpus denied

**BANKS, SR., (YUJUAN) ON
H.C.**

S201628

Petition for writ of habeas corpus denied

**ROQUE (NORMAN ED) ON
H.C.**

S201794

Petition for writ of habeas corpus denied

HERRERA (JOSEPH) ON H.C.

S201949

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925.)

**DAVIS (CHARLES T.) ON
H.C.**

S202099

Petition for writ of habeas corpus denied

**EASLEY (MARK RAYMOND)
ON H.C.**

S202108

Petition for writ of habeas corpus denied

MAXIMO (LUIS) ON H.C.

S202115**DeVAUGHN (MICHAEL O.)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S202130**MITCHELL (MIKE E.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S202145**KING (CLINTON DOUGLAS)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S202302**WILSON (DAVID W.) ON H.C.**

Petition for writ of habeas corpus denied

S202315**DAVIS (CHARLES T.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925.)

S202471**SANTOS (ISAAC GARCIA)
ON H.C.**

Petition for writ of habeas corpus denied

S202479**McGHEE (TIMOTHY
JOSEPH) ON H.C.**

Petition for writ of habeas corpus denied

S202490**BRICENO (ISRAEL) ON H.C.**

Petition for writ of habeas corpus denied

S202493**DeVAUGHN (MICHAEL O.)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S202494**CHUNG (ANTHANH) ON H.C.**

Petition for writ of habeas corpus denied

S202495**WILSON (DUANE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S202499**TUKAN (VLADIMIR) ON H.C.**

Petition for writ of habeas corpus denied

S202502**CARDONA (MELECIO M.)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S202509**THOMAS (LLOYD M.) ON
H.C.**

Petition for writ of habeas corpus denied

S202513**REYES (DAVID) ON H.C.**

Petition for writ of habeas corpus denied

S202515**WEISS (GREGORY) ON H.C.**

Petition for writ of habeas corpus denied

S202519**MORFIN (JAMES) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S202543**FLORES (GUSTAVO) ON
H.C.**

Petition for writ of habeas corpus denied

S202546**SMITH (TROY ALLEN) ON
H.C.**

Petition for writ of habeas corpus denied

S202566**SANTOS (DAVID EDWARD)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S202568**MONTESDEOCA (WILLIAM)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S202570**ROSE (LANCE EARL) ON
H.C.**

Petition for writ of habeas corpus denied

S202620**LUMENTUT (MELKIOR) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709, 723.)

S202623**WILLIAMSON (STEPHEN R.)
ON H.C.**

Petition for writ of habeas corpus denied

S202626**LY (KIEN VINH) ON H.C.**

Petition for writ of habeas corpus denied

S202627**BARAJAS (JORGE
ANTONIO) ON H.C.**

Petition for writ of habeas corpus denied

S202632**DRAPER (CORNELIUS) ON
H.C.**The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S202635****GODDARD (SHANE) ON H.C.**

Petition for writ of habeas corpus denied

S202638**CUEVAS (ROBERT) ON H.C.**

Petition for writ of habeas corpus denied

S202648**FRAHER (CECILIA) ON H.C.**

Petition for writ of habeas corpus denied

S202656**SAILLE (MANUEL DE
JESUS) ON H.C.**

Petition for writ of habeas corpus denied

S202669**BOUNDS (JAMES ANTHONY)
ON H.C.**

Petition for writ of habeas corpus denied

S202681**MASON (DeMARCUS) ON
H.C.**

Petition for writ of habeas corpus denied

S202684**BRIDGEWATER (KEITH R.)
ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S202686**ALLEN (MICHAEL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S202695**JACKSON (RONNEL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723.)

S202697**POPLAR III (NATHANIEL) ON H.C.**

Petition for writ of habeas corpus denied

S202700**SANCHEZ (SENEN) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S202702**WRIGHT (PATRICIA) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S202708**BRAZILE (ANTONIO) ON H.C.**

Petition for writ of habeas corpus denied

S202720**SAIF'ULLAH (KHALIFAH E. D.) ON H.C.**

Petition for writ of habeas corpus denied

S202741**JOHNSON (TYRONE DANIEL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Neely* (2009) 176 Cal.App.4th 787, 797-799.)

S202744**NAGIE (JACKARI) ON H.C.**

Petition for writ of habeas corpus denied

S202746**PACE-WHITE (KIM) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723.)

S202750**LOPEZ (JORGE) ON H.C.**

Petition for writ of habeas corpus denied

S202754**BRACKS (TERRENCE) ON H.C.**

Petition for writ of habeas corpus denied

S202759**BURTON, JR., (MICHAEL EUGENE) ON H.C.**

Petition for writ of habeas corpus denied

S202760**CEJA (JORGE ARON) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S202778**DeVAUGHN (MICHAEL O.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S202810**PEPE (CHRISTOPHER) ON H.C.**

Petition for writ of habeas corpus denied

S202814**HERNANDEZ (ARMANDO)
ON H.C.**

Petition for writ of habeas corpus denied

S202863**MALLET (CLYDE L.) ON
H.C.**

Petition for writ of habeas corpus denied

S202972**CANNON (FRANK) ON H.C.**

Petition for writ of habeas corpus denied

S203008**SCHERMERHORN (TERRY)
ON H.C.**

Petition for writ of habeas corpus denied

S203010**JOHNSON (KEEONI D.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S203015**BRODIS (ANTOINE) ON H.C.**

Petition for writ of habeas corpus denied

S203019**BATES (DEVERON
LAMARR) ON H.C.**

Petition for writ of habeas corpus denied

S203021**HAGEMAN (SEAN DION) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S203042**EDWARDS (VONNIE ROSS)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S203045**HILL (JOSHUA SPENCER)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Villa* (2009) 45 Cal.4th 1063; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723.)

S203090**CARDONA (MELECIO M.)
ON H.C.**

Petition for writ of habeas corpus denied

S203832**JOHNSON (TYRONE
DANIEL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Miller* (1941) 17 Cal.2d 734, 735; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S203892**HILL (JOSHUA SPENCER)
ON H.C.**

Petition for writ of habeas corpus denied

S203893**HILL (JOSHUA SPENCER)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)

S203984**HILL (JOSHUA SPENCER)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S204635 E056415 Fourth Appellate District, Div. 2 **PEOPLE v. S.C. (LOPEZ)**

Stay order filed

To permit consideration of the petition for review filed herein, trial in *People v. Lopez*, San Bernardino Superior Court No. FSB1100316, is hereby stayed pending further order of this court.

S199642 B231142 Second Appellate District, Div. 2 **ALEMAN (MICHAEL) v. AIRTOUCH CELLULAR**

Publication request denied (case closed)

AirTouch Cellular's request that a portion of the Court of Appeal's decision in *Aleman v. AirTouch Cellular* (B231142) be published is denied.

Werdegarr, J., was recused and did not participate.

S202960 D058114 Fourth Appellate District, Div. 1 **TAPIA (GILBERT) v. 7-ELEVEN, INC.**

Publication request denied (case closed)

S203384 G045556 Fourth Appellate District, Div. 3 **RETAIL PROPERTY TRUST v. ORANGE COUNTY PEOPLE FOR ANIMALS**

Publication request denied (case closed)

S203447 C067581 Third Appellate District **McMILLAN III (CLIFTON H.) v. COUNTY OF SISKIYOU**

Publication request denied (case closed)

S203535 B232601 Second Appellate District, Div. 6 **ELLIOTT (WARREN) v. FILIPPINI FINANCIAL GROUP, INC.**

Publication request denied (case closed)

S203643 B230078 Second Appellate District, Div. 1 **ROBINSON (STEVEN L.) v. CITY OF LOS ANGELES**

Publication request denied (case closed)

S203798 B233356 Second Appellate District, Div. 3**DAVIS (ADOLFO) v. S.C.
(PEOPLE)**

Publication request denied (case closed)

S044739**PEOPLE v. BANKSTON
(ANTHONY GEORGE)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Steven E. Mercer's representation that he anticipates filing the respondent's brief by November 12, 2012, counsel's request for an extension of time in which to file that brief is granted to October 22, 2012. After that date, only one further extension totaling about 22 additional days is contemplated.

S062417**PEOPLE v. SILVERIA
(DANIEL TODD) & TRAVIS
(JOHN RAYMOND)**

Extension of time granted

Good cause appearing, and based upon counsel Mark E. Cutler's representation that he anticipates filing appellant John Raymond Travis's reply brief by mid-December 2012, counsel's request for an extension of time in which to file that brief is granted to October 15, 2012. After that date, only one further extension totaling about 60 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S118775**PEOPLE v. WILSON
(JAVANCE MICKEY)**

Extension of time granted

Good cause appearing, counsel's request for an extension of time in which to file the appellant's opening brief is granted to October 15, 2012. The court anticipates that after that date, only three further extensions totaling about 180 additional days will be granted. Counsel is ordered to inform his or her supervising attorney, if any, of this schedule, and to take all steps necessary to meet it.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S199495 H036687 Sixth Appellate District**PEOPLE v. MARTINEZ
(RODRIGO MARTINEZ)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief is extended to August 15, 2012.

S201413 B226256 Second Appellate District, Div. 1 **PEOPLE v. MATA (FRANCIS)**
Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to September 7, 2012.

S202037 B200831 Second Appellate District, Div. 3 **McWILLIAMS (JOHN W.) v.
CITY OF LONG BEACH**

Application to appear as counsel pro hac vice granted

The application of Timothy N. Mathews for admission pro hac vice to appear on behalf of appellant is hereby granted. (See Cal. Rules of Court, rule 9.40.)

S202037 B200831 Second Appellate District, Div. 3 **McWILLIAMS (JOHN W.) v.
CITY OF LONG BEACH**

Application to appear as counsel pro hac vice granted

The application of Nicolas E. Chimicles for admission pro hac vice to appear on behalf of appellant is hereby granted. (See Cal. Rules of Court, rule 9.40.)

S022481 **PEOPLE v. NAVARETTE
(MARTIN ANTHONY)**

Withdrawal of counsel allowed by order

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for condemned inmate Martin Anthony Navarette, filed August 6, 2012, is granted.

The order appointing Gary B. Wells as habeas corpus/executive clemency counsel of record for condemned inmate Martin Anthony Navarette, filed July 31, 2003, is hereby vacated.

The Federal Public Defender for the Central District of California is hereby appointed as counsel of record for condemned inmate Martin Anthony Navarette. Counsel is appointed for purposes of all postconviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

S174232 **PEOPLE v. KEMP (DARRYL
THOMAS)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, William D. Farber is hereby appointed to represent appellant Darryl Thomas Kemp for the direct appeal in the above automatic appeal now pending in this court.

S049626**PEOPLE v. HAJEK
(STEPHEN EDWARD) & VO
(LOI TAN)**

Motion for access to sealed record granted

Appellant Stephen Hajek's "Renewed Application for an Order Allowing Counsel to Inspect and Copy Sealed and Confidential Documents," filed on March 26, 2012, and appellant Loi Tan Vo's "Motion to Join in part Co-Defendant Hajek's Renewed Application for an Order Allowing Counsel to Inspect and Copy Sealed and Confidential Documents," filed on April 2, 2012, are granted in part.

The motions are granted as to 9 CT 2387-2399, 9 CT 2403-2412 and 10 CT 2694-2729. It is further ordered that only counsel for appellants, and not appellants themselves, may have access to 10 CT 2694-2729. Vo's motion is granted as to 10 CT 2681, 2683-2690.

The motions are denied as to 19 Aug. CT 5397-5401.

The motions are denied as to 7 CT 1797, 7 CT 1802, 9 CT 2386, 9 CT 2402, and 10 CT 2680, 2682 because these transcript pages are not sealed.

In all other respects, the motion is denied.

The Clerk is directed to provide copies of these documents as set forth above, and is further directed to keep these materials under seal. If counsel wishes to disclose sealed material in any court papers, those papers must themselves be filed under seal. (See Cal. Rules of Court, rule 8.46(g).)

S004711**PEOPLE v. COX (TIEQOUN
AUNDRA Y)**

Motion denied

The motion for appointment of associate counsel, filed by the Habeas Corpus Resource Center on July 26, 2012, is denied.

S083594**PEOPLE v. TRUJEQUE
(TOMMY ADRIAN)**

Order filed

On the court's own motion, the Clerk is directed to unseal and make part of the public record the following sealed materials:

1. Clerk's Transcript Supplemental IV, Juvenile Records, Vol. 1 of 2, pages 1-277;
2. Clerk's Transcript Supplemental IV, Juvenile Records, Vol. 2 of 2, pages 278-526;
3. Clerk's Transcript Supplemental IV(A), Juvenile Records, pages 1-99.

Appellant's "Motion to File Arguments I and XIII of Appellant's Opening Brief under Seal," filed March 23, 2012, is denied as moot. The Clerk is directed to file these arguments publicly.

Respondent can examine the above-listed unsealed records on the premises of the court. If respondent wishes to make copies, respondent must supply the personnel and equipment necessary to do so.

S187243 B216515 Second Appellate District, Div. 4 **PACIFIC PALISADES BOWL
MOBILE ESTATES LLC v.
CITY OF LOS ANGELES**

Order filed

The request of the City of Los Angeles to allocate to amicus curiae California Coastal Commission 10 minutes of the City of Los Angeles' 30-minute allotted time for oral argument is granted.

S204203 **AKHTAR (JAVIAD) v. S.C.
(PRIETO)**

Transferred to Court of Appeal, Third Appellate District

The above-entitled matter is transferred to the Court of Appeal, Third Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S203648 **ACCUSATION OF DIPARRA**
Petition denied (accusation)

S203807 **ACCUSATION OF JANOE**
Petition denied (accusation)

S201614 **SANDERS ON RESIGNATION**
Resignation declined
This court, having considered the request, declines to accept the voluntary resignation with disciplinary charges pending of WADE ROLAND SANDERS, State Bar Number 58212, as a member of the State Bar of California. (Cal. Rules of Court, rule 9.21(d).) WADE ROLAND SANDERS remains on inactive status. (Cal. Rules of Court, rule 9.21(a).) He may move in the State Bar Court to be restored to active status, at which time the Office of Chief Trial Counsel may demonstrate any basis for his continued ineligibility to practice law. The State Bar Court will expedite the resolution of any request by WADE ROLAND SANDERS to be restored to active status. Any return to active status will be conditioned on WADE ROLAND SANDERS's payment of any dues, penalty payments, and restitution owed by him. The underlying disciplinary matter should proceed promptly.

**BAR MISC. 4186 IN THE MATTER OF THE APPLICATION OF THE COMMITTEE
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA
FOR ADMISSION OF ATTORNEYS (MOTION NO. 1,040)**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)

